

**REMARKS**

While Applicants appreciate the rejoining of generic claims 1-20 and 23 with Applicants' elected invention, Applicants maintain that the Requirement was improper since it identified the Specie groupings by explicit language in the claims. As instructed in MPEP 806.04(e), "*Claims are never species.*"

In addition, Applicants respectfully assert that Applicants' ground for traversal in the Election filed on April 25, 2005 has yet to be addressed and successfully rebutted by the Office Action. Specifically, Applicants' traversal was based upon improper grounds for the Requirement, and not for any "undue burden," as discussed by the Examiner. Accordingly, Applicants have preserved the right to Petition the Commissioner for review of the Requirement, as a result of the Office making the Requirement Final.

Claims 1-5, 7-12, 14-18, 20, 21, 23, and 24 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by, or, in the alternative, under 35 U.S.C. § 103(a) as allegedly being obvious over Nagata et al. (US 6,624,857), and claims 6, 13, and 19 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Nagata et al. (US 6,624,857). Applicants respectfully assert that the Office Action completely fails to establish any resemblance of a *prima facie* case of obviousness, or anything resembling an anticipatory rejection of Applicants' claimed invention.

First, with regard to the allegation that Nagata et al. anticipates at least independent claims 1, 8, 14, 20, and 23, Applicants respectfully assert that Nagata et al. explicitly discloses, in FIG. 15, that items 26a/26b are "inspection-use TFTs" and have nothing to do WHATSOEVER with static electricity prevention. Moreover, Applicants respectfully assert that the inspection-use TFTs 26a and 26b are disposed *indirectly* to the

source and gate drivers 20a and 20b. Accordingly, Applicants respectfully assert that the Office Action is *completely incorrect* in its analysis of Nagata et al. and completely fails to establish that Nagata et al. teaches or suggests every feature of Applicants' claimed invention.

With regard to the Office Action's allegation that "'source driver' and 'gate driver' can be conventionally used interchangeably for discharging a residual charge in an LCD device," Applicants respectfully submit that none of the prior art of record teaches, either explicitly or implicitly, that source and gate drivers in an LCD device are somehow interchangeable for discharging anything is common knowledge or well known in the art. Moreover, Applicants respectfully traverse the "Official Notice" set forth in the Office Action. Furthermore, Applicants respectfully assert that the reasoning set forth by the Office Action is completely lacking any logical, sound technical and/or scientific basis to conclude that source and gate drivers may be interchanged for discharging electricity.

As point out in MPEP 2144.03B, "[I]f such notice is taken, the basis for such reasoning must be set forth explicitly." In addition, "[t]he Examiner must provide specific factual findings predicated on sound technical and scientific reasoning to support his or her conclusion of common knowledge. See *Soli*, 317 F.2d at 946, 37 USPQ at 801." Accordingly, since the Examiner has not provided any sound technical or scientific reasoning to support the allegation that employing "a static electricity preventing unit being directly connected to the source driver since 'source driver' and 'gate driver' can be conventionally used interchangeably for discharging a residual charge in an LCD device" is common knowledge or well known in the art, Applicants respectfully submit

that the combination of features recited in at least independent claims 1, 8, 14, 20, and 23 is not well known. Thus, Nagata et al. fails to teach or suggest each feature of independent claims 1, 8, 14, 20, and 23, especially “a plurality of static electricity preventing units,” is neither well known, common knowledge, nor supported by the prior art of record.

As required by MPEP 2144.03C, “[i]f applicant adequately traverses the examiner’s assertion of official notice, the examiner must provide documentary evidence in the next Office action if the rejection is to be maintained. See 37 CFR 1.104(c)(2).” Thus, Applicants respectfully request documentary evidence that employing “a static electricity preventing unit being directly connected to the source driver since ‘source driver’ and ‘gate driver’ can be conventionally used interchangeably for discharging a residual charge in an LCD device” is common knowledge or well known in the art if the rejections of claims 1-25 under 35 U.S.C. § 102(e) and/or § 103(a) in view of Nagata et al. are to be maintained.

Furthermore, even if the rejections of claims 1-24 under 35 U.S.C. § 102(e) and/or § 103(a) in view of Nagata et al. are maintained and Official Notice taken by the Examiner is factually supported by documentary evidence, Applicants respectfully traverse any rejection predicated upon the Official Notice on grounds that a lack of proper motivation exists to modify the teachings of Nagata et al. For example, since none of the prior art of record either teaches or suggests modifying the inspection use TFTs disclosed by Nagata et al. to arrive at the invention of at least independent claims 1, 8, 14, 20, and 23, then there is no motivation to modify Nagata et al. Thus, no *prima*

*facie* case of obviousness of at least independent claims 1, 8, 14, 20, and 23 may be alleged.

For at least the above reasons, Applicants respectfully assert that the rejections under 35 U.S.C. § 102(e) and/or § 103(a) should be withdrawn because Nagata et al. neither teaches nor suggests the novel combination of features recited in independent claims 1, 8, 14, 20, and 23, and hence dependent claims 2-7, 9-13, 15-19, 21, 22, and 24.

#### **Request for Personal Interview**

If the present rejections are maintained, Applicants respectfully request a personal interview with the Examiner and his Supervisor Mr. Robert Kim in order to advance prosecution of the present application. Accordingly, Applicants respectfully request that the Examiner contact the undersigned representative to schedule a mutually convenient time with which to meet with the Examiner and Mr. Kim.

#### **CONCLUSION**

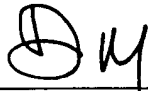
In view of the foregoing, Applicants respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an

extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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